

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKMERRILL LYNCH BUSINESS FINANCIAL  
SERVICES INC.,

07 CV 9728 (NRB)

Plaintiff,

-against-

J.S. SUAREZ, INC., RAMONA SUAREZ, MATTHEW  
SUAREZ, SUAREZ NEW YORK LLC,  
and "JOHN DOE #1" THROUGH "JOHN DOE #12"  
the last twelve names being fictitious  
and unknown to plaintiff, being persons having or  
claiming an interest in or lien upon the chattel described  
in the complaint,

Defendants.

STIPULATION

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EFTRONICALLY FILED
DATE FILED: 11/28/07

IT IS HEREBY STIPULATED AND AGREED TO, by and between the undersigned,  
the attorneys for plaintiff and defendants by J.S. Suarez, Inc., Suarez New York LLC, Ramona  
Suarez, and Matthew Suarez ("Defendants"), as follows:

1. Plaintiff's pending motion for an order of seizure is hereby adjourned from November 29, 2007 to December 11, 2007, at 3 p.m.
2. Pending the hearing of this motion, and except for ordinary course of business transactions, Defendants are hereby temporarily restrained from removing, transferring, selling, pledging, assigning, or otherwise disposing of or permitting to become subject to a security interest or lien, (a) the collateral defined and described in the Declaration of Daniel J. Downs, dated October 31, 2007, filed in support of plaintiff's motion for seizure or (b) the inventory of Suarez New York LLC.
3. By no later than December 3, 2007, counsel for defendants will deliver an inventory

report to counsel for plaintiff detailing the inventory of Suarez New York LLC. Defendants shall permit plaintiff to conduct an on-premises inspection of Defendants' business commencing as early as December 4, 2007.

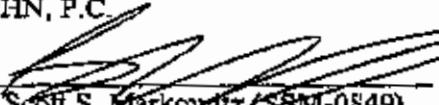
4. Suarez New York LLC's agreement to deliver an inventory report is without prejudice to its claim that Merrill Lynch has no lien on Suarez New York LLC's inventory or any other rights to such inventory and is provided solely to facilitate a settlement of this lawsuit.

Dated: New York, New York  
November 27, 2007

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SO ORDERED:

  
James R. Schneiders  
U.S.D.J.  
11/28/07